

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 103.3 (1A00.3.B.3.) To allow a side yard set back of 2.5 feet instead of the required 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

SEE ATTACHED.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____ Legal Owner(s): _____
(Type or Print Name) (Type or Print Name)
Signature _____ Signature _____
Address _____ Address _____
City and State _____ City and State _____
Attorney for Petitioner: _____
(Type or Print Name) Address _____ Phone No. _____
Signature _____ City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Address _____
City and State _____ Name _____
Attorney's Telephone No.: _____ Address _____ Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day of October, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 3rd day of December, 1984, at 10:15 o'clock A.M.
BY _____
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 85-151-A

Date: November 26, 1984

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber, Director

NEG:JGH:bjs

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE November 26, 1984

County Office Bldg.
111 W. Chesapeake Ave.
Towson, Maryland 21204
000
Nicholas B. Commodari
Chairman

Mr. and Mrs. Richard Ainsworth
205-103 Erin Way
Reisterstown, Maryland 21136

RE: Item No. 95, Case No. 85-151-A
Richard Ainsworth, et ux - Petitioners
Variance Petition

Dear Mr. and Mrs. Ainsworth:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari, Chairman
Zoning Plans Advisory Committee

ENCLOSURES



HARRY J. PISTEL, P.E.
DIRECTOR

November 16, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Item # 95 (1984-1985)
Property Owner: Richard Ainsworth, et ux
S/S Cockeysmill Rd. 925' E. from centerline
Franklin Valley Cir.
Acres: 163.02/129.03 x 370.70/404.25
District: 4th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General Comments:

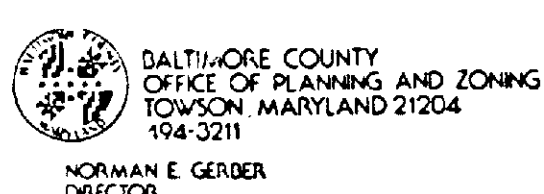
As no public facilities are involved, this office has no comment.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Very truly yours,
James A. Markle, P.E., Chief
Bureau of Public Services

JAM:EAM:REC:as



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Zoning Advisory Meeting of 10/16/84
Item # 95
Property Owner: Richard Ainsworth, et ux
Location: S/S Cockeysmill Rd.
E of Franklin Valley Circle

Dear Mr. Jablon:

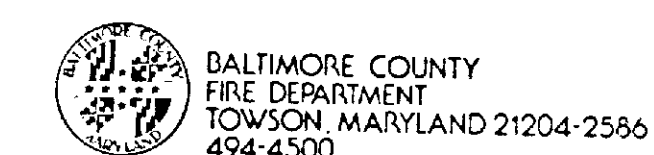
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on _____
- () Landscaping should be provided on this site and shown on the plan.
- () The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- () Additional comments:

Plat of Franklin Valley, Plat 1 Section 1, E.W. 11. 39. 10. 9. shows this as lot 1 and 1A. This should be clarified & corrected.

Eugene A. Rober
Chief, Current Planning and Development

cc: James Hoswell



PAUL H. REINCKE
CHIEF

October 26, 1984

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Wick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Richard Ainsworth, et ux

Location: S/S Cockeysmill Rd. 925' E. from c/l Franklin Valley Circle
Item No.: 95 Zoning Agenda: Meeting of 10/16/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

Reviewed by: _____ Noted and Approved: _____
Planning Group Special Inspection Division Fire Prevention Bureau

/mb

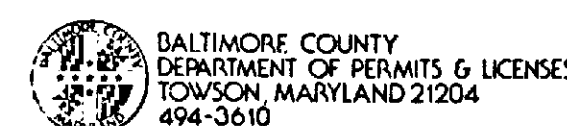
Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and/or unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should/should not be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 14th day of December, 1984, that the herein Petition for Variance(s) to permit a side yard setback of 25 feet in lieu of the required 50 feet for the proposed dwelling, in accordance with the site plan filed herein, is GRANTED, from and after the date of this Order.

Jean M. H. Jung
Deputy Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

DATE December 14, 1984
BY May C. [illegible]



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3030

November 1, 1984

TED JABLON, JR.
DIRECTOR
Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item #5 Zoning Advisory Committee Meeting are as follows:

Property Owner: Richard Ainsworth, et ux
Location: S/S Cockeysmill Rd. 925' E. from c/l Franklin Valley Circle
Bidding Zone: 4th
Proposed Zoning: Variance to permit a side yard setback of 25' in lieu of the required 50'.

Acres: 163.82/129.03 x 370.70/404.25
District: 4th.

The items checked below are applicable:

☒ All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 ~~Standard Building Code for the State of Maryland~~ and other applicable codes.

☒ A building/structure shall be required before beginning construction.

☒ Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0" for commercial use or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistant construction, no openings permitted within 3'0" of lot lines. A fire wall is required if construction is on the lot line, see Table 401, Line 2, Section 1407 and Table 1402, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, turn the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 1401.

I. Comments

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:ee

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of Cockeysmill Rd., : OF BALTIMORE COUNTY
925' E of the Centerline :
of Franklin Valley Circle, :
4th District :
RICHARD AINSWORTH, et ux : Case No. 85-151-A
Petitioners :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 8th day of November, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Richard Ainsworth, 205-103 Erin Way, Reisterstown, MD 21136, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

BEGINNING on the south side of Cockeysmill Road, 165.82' wide. The distance of 925' east of the center line of Franklin Valley Circle. BEING Lot 1A, Section 1 in the subdivision of Franklin Valley. Book No. 39, Folio 9 and 10.

PETITION FOR VARIANCE
4th Election District
LOCATION: S/S of Cockeysmill Rd., 925' E of the Centerline of Franklin Valley Circle, 4th District
DATE AND TIME: Monday, November 5, 1984 at 10:15 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance to allow a side yard setback of 25 feet instead of the required 50 feet.
In the event that this Petition is not granted, the Petitioner may be liable for the cost of the hearing and the cost of the sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.
Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

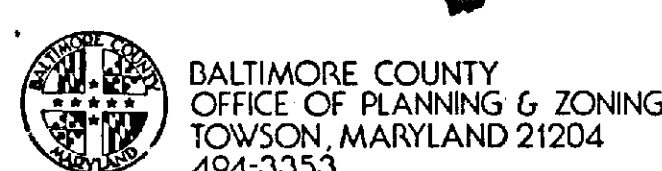
MARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

Westminster, Md., Nov. 15, 1984

THIS IS TO CERTIFY that the annexed Reg. # 167341, P.O. #68082 is published for one (1) day, November 15th, 1984, in the Carroll County Times, a daily newspaper published in Westminster, Carroll County, Maryland.
☐ South Carroll Herald, a weekly newspaper published in Eldersburg, Carroll County, Maryland.
☒ Community Times, a weekly newspaper published in Reisterstown, Baltimore County, Maryland.

MARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

Peter Max Zimmerman



ARNOLD JABLON
ZONING COMMISSIONER

December 14, 1984

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. and Mrs. Richard Ainsworth
205-103 Erin Way
Reisterstown, Maryland 21136

RE: Petition for Variance
S/S of Cockeysmill Rd., 925' E of the center line of Franklin Valley Circle
4th Election District
Richard Ainsworth, et ux - Petitioners
No. 85-151-A (Item No. 95)

Dear Mr. and Mrs. Ainsworth:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: People's Counsel

Mr. and Mrs. Richard Ainsworth
205-103 Erin Way
Reisterstown, Maryland 21136

NOTICE OF HEARING

RE: Petition for Variance
S/S Cockeysmill Rd., 925' E of c/l of Franklin Valley Circle
Richard Ainsworth, et ux - Petitioners
Case No. 85-151-A

TIME: 10:15 a.m.

DATE: Monday, December 3, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 134304

DATE: 10-2-84 ACCOUNT: R-01-615-000

AMOUNT: \$35.00

RECEIVED FROM: *Richard Ainsworth*

FOR: *Entry fee for item 85-151-A*

0 6 132*****35068 8034F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

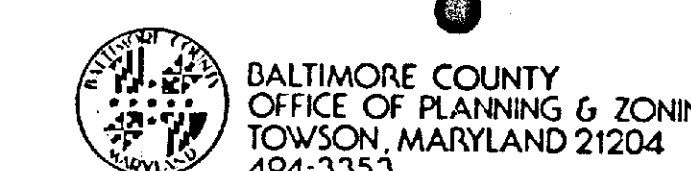
TOWSON, MD., November 15, 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on November 15, 1984.

THE JEFFERSONIAN,

JB Ventral
Publisher

Cost of Advertising 20.00



ARNOLD JABLON
ZONING COMMISSIONER

November 26, 1984

Mr. and Mrs. Richard Ainsworth
205-103 Erin Way
Reisterstown, Maryland 21136

RE: Petition for Variance
S/S Cockeysmill Rd., 925' E of c/l of Franklin Valley Circle
Richard Ainsworth, et ux - Petitioners
Case No. 85-151-A

Dear Mr. and Mrs. Ainsworth:

This is to advise you that \$49.30 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 135885

DATE: 11-3-84 ACCOUNT: R-01-615-000

AMOUNT: \$49.30

RECEIVED FROM: *Richard Ainsworth*

FOR: *Entry fee for item 85-151-A*

0 6 132*****35068 8034F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 4th Date of Posting 11-9-84
Posted for: Variance
Petitioner: Richard Ainsworth et ux
Location of property: S/S of Cockeysmill Rd, 925' E. of the ELL of Franklin Valley Circle
Location of Sign: South side of Cockeysmill Road, approx. 1/2 mi. E. of the S/S of Franklin Valley Circle
Remarks: _____
Posted by: [Signature] Date of return: 11-16-84
Number of Signs: 1

PETITION FOR VARIANCE
4th Election District

LOCATION: South side of Cockeysmill Road, 925 feet East of the centerline of Franklin Valley Circle
DATE AND TIME: Monday, Decemb. 3, 1984 at 10:15 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Variance to allow a side yard setback of 25 feet instead of the required 50 feet.

Being the property of Richard Ainsworth, et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

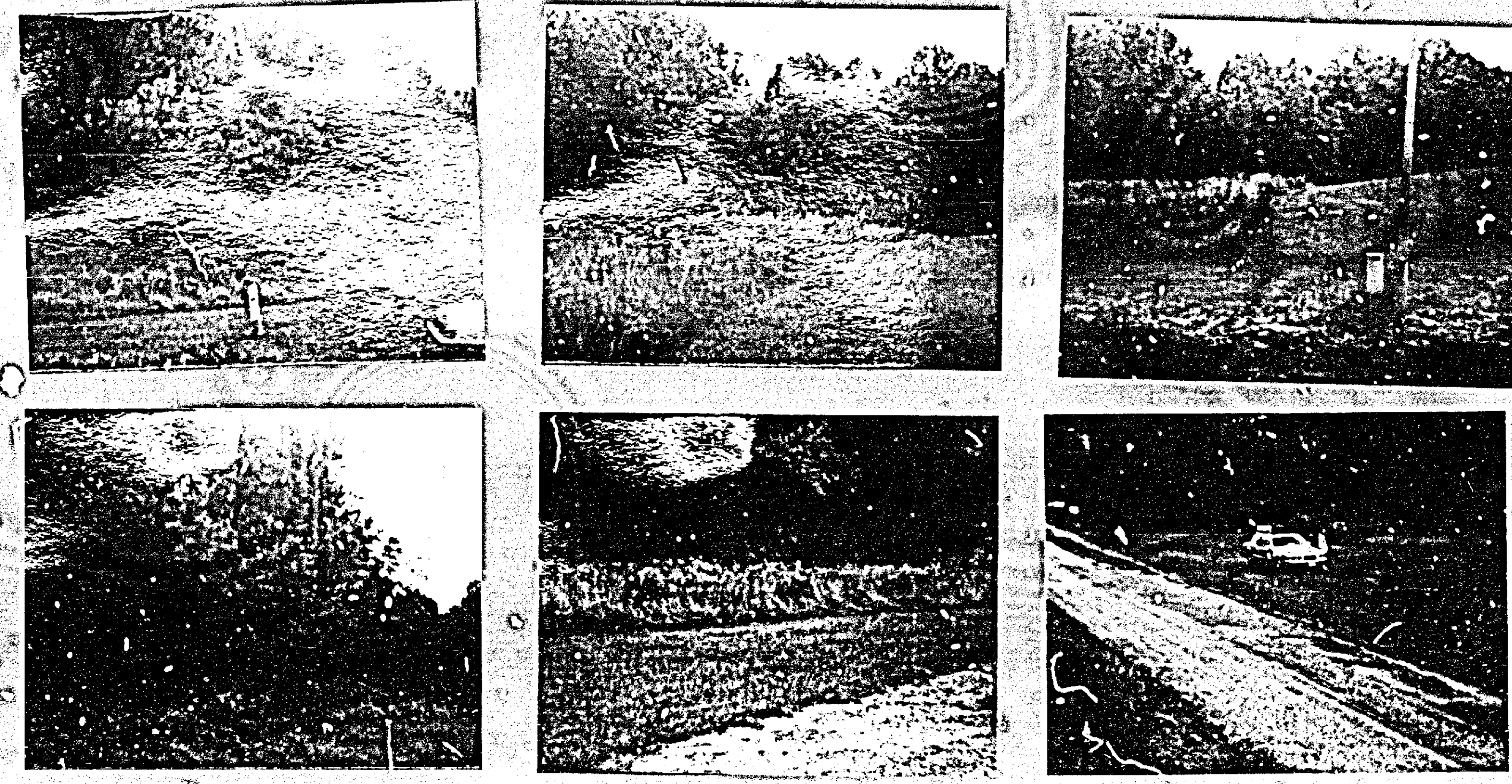
Merrill Lynch Realty

Chris Coile, Inc.

CONTRACT OF SALE FOR UNIMPROVED PROPERTY

Listing Office: Caldwell Banker Phone: 362-8530 Listing Agent: Mary Annmann
Selling Office: Merrill Lynch/C.C.C. Phone: 461-3353 Selling Agent: Geo. "Bo" Barranger
Date of Offer: September 4, 1984
Buyer(s) Name(s): Richard Ainsworth & Helen Jane Ainsworth (his wife)
Property: Property to be conveyed in the name of Richard Ainsworth & Helen Jane Ainsworth
WITNESS that the said Seller does hereby bargain and sell unto the said Buyer and the latter does hereby purchase from the former the following described property, situated and lying in the State of Maryland, Baltimore County, Lot 1A, Block 1A, Subdivision Franklin Valley Liber 5593, Folio 278, Cockeysmill Road.
Address: Cockeysmill Road
Title: "With improvements thereon and all the rights and appurtenances thereto belonging; or in any way appertaining."
Sale Price: In fee simple.
The payment of the purchase price shall be made by the Buyer to the Seller as follows: A deposit by way of a cash in the amount of \$ One thousand Dollars (\$ 1,000.00) at the time of execution of the Agreement.
The first mortgage in the amount of \$ Twenty one thousand seven hundred Dollars (\$ 21,700.00) is to be secured on said premises for a term of seventeen years, bearing a maximum interest of 13.5 per annum, repayable at \$ 500.63 per month, principal and interest only, plus 1/12 of the annual fixed expenses. Any difference between the total purchase price and the amount of the mortgage is to be considered required down payment, which shall be paid in cash by the Buyer(s) at the time of settlement.
Buyer(s) shall agree to make application within Five (5) banking days of ratification/acceptance of contract, and further agree to file all necessary papers that are required to complete processing, including redemission and appeal where necessary, and agrees that failure to do so shall give the Seller the right to declare the deposit forfeited. Any action by the Buyer after the date of acceptance of this contract which results in disqualifying the Buyer for financing shall give the Seller the right to declare the deposit forfeited.
This contract is subject to the ability of the Buyer to secure a written commitment for the first mortgage described herein XX shall be the Seller, XXX. The Buyer reserves the right to increase the cash and down payment and/or accept a modified commitment for financing, and shall so notify the Seller of Agent(s) within the term of this contingency. The Buyer shall have the right to waive this contingency, or any other contingency inuring to the Purchaser's benefit, upon written notice to Merrill Lynch Realty/Chris Coile, Inc. at any one of the offices. If the time for obtaining a loan commitment as set forth in this paragraph shall expire, and the Buyer has diligently made application as set forth herein, the time for obtaining a loan commitment shall be extended for a reasonable period of time. In the event that the loan commitment herein described cannot be obtained, the Buyer's deposit shall be refunded and this contract shall be null and void.
Settlement shall occur on or before December 30, 1984, or as soon thereafter as a report of the title can be secured, if promptly ordered, financing specified in this contract secured, and survey obtained, if required. The Seller and Buyer are required to agree to make full settlement in accordance with the terms hereof. If the Buyer shall fail to make full settlement, the deposit herein provided for may be forfeited at the option of the Seller, in which event the purchaser shall be relieved from further liability to the Seller unless the Seller notifies the Buyer and the Agent(s) in writing within thirty (30) days from the date scheduled for settlement, of his election to avail himself of any legal or equitable rights, other than the said forfeiture which may have under this contract. In the event of forfeiture of the deposit, the Seller shall allow the Agent(s) one-half thereof as a compensation for his services, said amount not to exceed the amount of the full brokerage fee.
Settlement is to be made at the office of the Attorneys or Title Company searching the title, or any Attorney appointed by the Buyer. It is agreed that, if required, funds arising out of this transaction may be used at settlement to pay off any existing encumbrances.
The Seller recognizes Merrill Lynch Realty/Chris Coile, Inc. and Caldwell Banker as the agent(s) negotiating this contract and agrees to pay a brokerage fee for this service as stated in the Listing Agreement. The entire deposit shall be held by Caldwell Banker.
Documentary stamps and transfer tax shall be paid entirely by the Buyer(s).
Charges: _____
Additional Clauses: _____
See Addendum # 1

Covenants: Buyer acknowledges receipt of declaration of covenants prior to signing this contract. Buyer's initials: [Signature]
THIS IS A LEGALLY BINDING CONTRACT, IF NOT UNDERSTOOD, SEEK LEGAL ADVICE THROUGH YOUR ATTORNEY. Reverse of this contract is part thereof.
Witness: [Signature] Buyer: [Signature] (Seal)
Witness: [Signature] Buyer: [Signature] (Seal)
Witness: [Signature] Seller: [Signature] (Seal)
Witness: _____ Seller: _____ (Seal)
Date of Ratification/Acceptance: _____



Merrill Lynch Realty

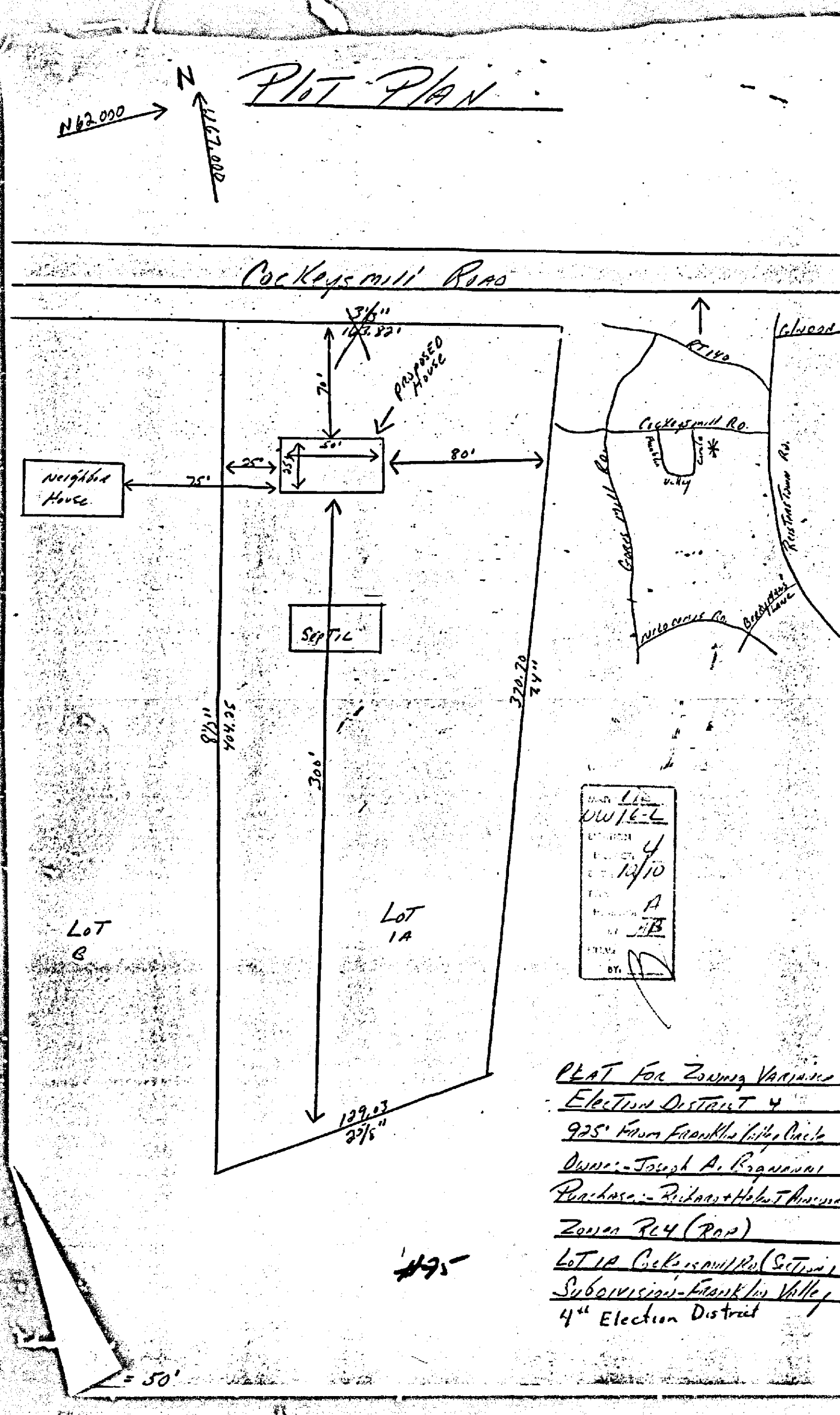
Chris Coile, Inc.

CONTRACT OF SALE ADDENDUM

Listing Office: Caldwell Banker / R.T. Baker Agent: Mary Annmann
Selling Office: Merrill Lynch / Chris Coile Inc. Agent: Geo. "Bo" Barranger
DATE: September 4, 1984
ADDENDUM (Number: One) to the Contract of Sale dated September 4, 1984
for the property known as Lot 1A Cockeysmill Road by and between Joseph Boganni, Sellers and Richard & Helen Ainsworth, Buyers.
SAID CONTRACT is hereby amended as follows:

- Contract subject to side line setback variance being approved by Baltimore County (change from 50 feet to 20 feet or less)
- Contract subject to well approved by Baltimore County, and paid for by seller
- Seller will subordinate lot for construction loan
- Seller will finance lot as per contract, but loan will balloon one and one half years from date of settlement or at time of construction loan settlement, whichever occurs first.
- There will be no prepayment penalties
- All monies advanced by the buyer will be reimbursed to him if well or variance is not approved
- Seller will furnish a copy of the covenants if any and certified plat of the property to the buyer
- Second thousand dollar deposit will be made five days after approval of variance

In regard to variance approval, buyers shall at the same time secure from the County its approval of the new location of the well and septic system.
All other terms and conditions of the above referenced Contract of Sale remain as originally agreed, unless amended by subsequent addenda executed by the parties hereto.
WITNESS: [Signature] DATE: 9/4/84 BUYER: [Signature]
WITNESS: [Signature] DATE: 9/4/84 BUYER: [Signature]
WITNESS: [Signature] DATE: 9/7/84 SELLER: [Signature]



REASONS FOR ZONING VARIANCE

- The north side of the lot slopes down with a drop of approximately 20 feet and is heavily wooded. After speaking with two construction contractors, a 46' long x 24' wide house could not be built on the lot with the current 50' side yard set back without major excavation to the side of the property.
- All houses in this development have size restrictions due to the bi-laws recorded on 12/4/75 Liber 5590, Folio 232, so building a smaller house will not answer this concern.
- The area is heavily wooded on the north side and this lot starts the community of Franklin Valley and due to the value of the houses in Franklin Valley, it would be more appropriate to leave some trees up since the houses on the north side of the lot are not as large and probably not as valuable.

Plat for Zoning Variance
Election District 4
925' from Franklin Valley Circle
Owner: Joseph A. Boganni
Residence: 111 West Chesapeake Avenue
Towson, MD 21204
Zoning: R-4 (Res)
Lot 1A, Cockeysmill Road, City of Baltimore
Subdivision: Franklin Valley
4th Election District